

**eRIM Steering Committee Minutes  
for the State of Montana  
December 19, 2007**

- Attendance Attendees:  
Brad Johnson (SOS); Patti Borsberry (RMB); Judy Meadows (State Library); Mike Bousliman (MDT); Mark Van Alstyne (SOS); Dick Clark (CIO); Randy Holm (ITSD); Jodie Foley (MHS); Susan Fox (Legislative Services Division); Tori Hunthausen (Legislative Audit); Laurie Lamson (DPHHS); Lois Menzies (Judicial); Ralph Peck (SOS); Darlene Staffeldt (State Library); Cheri Bergeron (OPI); Sheryl Wood (MT Association of Counties); Greg Noose; Jeff Garrard (SOS); Sandy Brewster (MaCO); Mike Cochran (ITSD); Chris Tweeton (Attorney General's Office); Sheryl Olson (DOA); Molly Kruckenberg (MHS)
- Opening Remarks Patti Borsberry opened the meeting with a warm welcome and thank you to all members.
- Secretary Brad Johnson thanked all members for their commitment, and stated that a good solid foundation was achieved at the last meeting, and that "now we need to roll up our sleeves and get it done."
- Approval of Minutes *Item One: **Approval of Minutes-November 2007***  
Minutes were handed out to all members with time given to review. Motion for approval was given by Nancy Hall and moved to seconded them by all in attendance. The minutes for November 2007 have been formerly adopted by the eRIM Steering Committee.
- Old Business *Item Two: **State of the State-Legislative Auditors Office: Monica Huyg***  
Induction of Monica was given by Patti, with a reminder that last month the committee heard from all members of the State Record Committee except for Monica.
- Monica Huyg*  
Works for the Legislative Legal council and serves on the SRC, Monica views her role as protecting records for audit teams, this insures that they can audit and at the same time meet standards required for serving the public. The SRC appreciates the work that this committee is going to do in the next few months. Considering all the legal and public groups involved; and the concern with the public's right to know and the fact that everyone wants to be able to get to the records. These meetings will help by making decisions on e-records and how we are going to handle them in the future.
- Item Three: **Committee Mission/Roles and Statements***  
After a review by Patti Borsberry of last months draft, several comments were made, with recommendations.  
List of comments, questions and recommendations:
- need entire policy
  - SOS only has authority with the Executive Branch this needs to address all branches and all agencies

Old Business  
(cont)

- Can this group set policy for all agencies that affect all entities
- Policy can be set up but not enforced
- SOS office has a compact with the Crow Nation on UCC policy, it is an avenue with Tribal Governments that can be taken.
- Question was asked on who can describe Tribal Government? Answer was in general tribal governments are independent and we have no authority for rules for them, and that we cannot set policy. They have government of their own tribes, with whatever policy is adopted by each state.
- Can this committee set up recommendations for best policy that covers tribal governments etc, and set a standard and have them adopt.
- Might be statutes that can figure out lines of authority that could work
- There is a good possibility that there will be legislations on records, we as a group need to be prepared to set a guide on this.
- Unless SOS has given to this committee authority, it is up to SOS to use what authority they have and the mission of this group should be to purpose policy and not adopt it.
- Goals and objectives: provide leadership, purpose goals and policies
- Help provide leadership
- The mission statement should say what we are trying to do, use our leadership, and how each entity adopts is up to them
- e-RIM committee should provide the leadership and recommendations in the area of electronic records
- Put a vision statement under the mission statement
- Define first where you are at and where you want to go
- Vision statement to strategically plan to end up with recommendations in the areas of records management, legal, IT preservation and business, go on to say, which will balance the public's right to know and privacy interests
- Above could include administration, financial, legislative, historic
- Using the word legal makes it should like the law (might need to review)
- Access where this committee is, understand where we want to be in five months and set a strategic goal, and end with recommendations.
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After the above discussion the following vision and mission statement was decided on by the committee.

***VISION STATEMENT:***

PROPOSE RECOMMENDATIONS IN THE AREA OF RECORDS AND INFORMATION MANAGEMENT, LEGAL, INFORMATION TECHNOLOGY, PRESERVATION AND ADMINISTRATIVE COMMUNITIES, WHICH WILL BALANCE THE PUBLIC'S RIGHT TO KNOW AND RIGHT TO PRIVACY INTERESTS.

**Mission Statement (DRAFT) :**

The eRIM Steering Committee serves the State of Montana in the adoption and recommended implementation of electronic records and information management policy (to the policy makers, enterprise) supported by the records management, legal, information technology, business and preservation communities, to support public access balanced with right to know and right to privacy; to create a framework for managing state, local (and other, tribal) government and public entities; to choose a defacto leader to represent government agencies.

New Business *Item One - Records and Information Management:* Patti Borsberry, SOS-RIM  
Patti stated to the committee this question ‘What is a Record’ with a slide showing the Montana Code 2-6-101 and 2-6-202. After the committee members read what the MT code states is a record several comments were made on this.

- Dick - first goal should be to rewrite the statute
- John - DPHHS records are not public
- Chris - look at records protected by federal laws, make them confidential
- Susan - just because the public has a right to view doesn’t mean it has to be posted on a web site
- Chris – need to assume that any public record can be posted on a web site
- Dick – what we are all saying is that this is a poorly written statute, and needs to be rewritten
- Mark – Content management should allow for information to be redacted out
- Chris – with respect to the statute it is terrible, this group needs to rewrite it
- Dick – we can identify what we need to address, define and get the rewritten statute into the legislative session, also need to get support for this change
- Patti – break out into sub committees, have a group that drives what we need (legal)
- Dick – need a good foundation to be able to move forward, also look at what other states are doing
- Brad Johnson – look at the notary and e-signatures, some states are way ahead of others. It’s really important for this committee to clearly identify goals.
- Tori – what problems do we have?
- Patti – because storage is cheap on electronic records, they are being stored forever, there is no statute for compliance, and if records are on a server there is no compliance
- Mike (MDT) – need to insure that you are preserving all records and that people understand what is going on, why, and have a statute in place
- Identify a list of problems and look at the most important things
- What does this committee wish to accomplish and where are we going?
- Brad Johnson – years ago when a citizen wanted access to a record they went to city hall, now things have changed and we have to worry about identity theft and that determines how we are able to access records now.
- Jody – before we talk about public access what about saving and preserving
- What is preservation vs. retention

*Next slide that Patti showed the committee was “Who are you?”*

This slide listed agencies under Administration, Legal, Legislative, IT and Preservation.

After the committee reviewed who was listed under each branch the following are suggested to be added on the list.

- Judicial
- Local Government

*Slide: **STAKEHOLDERS/DRIVERS***

Remarks: Please look over and let Patti know if any changes need to be made.

Dick thinks that this is a powerful tool that can be used by this committee. Patti

New Business (cont) questioned that if a record is to be transferred to HS or the Library and then a discovery request is made who then is responsible for having the record? Jodie has requested her legal staff to let her know who is responsible. The state library gets requests for documents on a regular basis, but as long as there is access they should be sent to the agency that has the record. There are also requests made for certified copies, only the HS will issue a certified copy. It would help to have clear idea on who is responsible for the record. Jodie the HS is only certifying that someone came in a requested a document and that the HS copied it. Dick: first goal should be what needs clear definitions, what are certifications, what does electronic record management mean? Go back to a blank sheet and make a list of definitions. Patti told everyone to go thru “what is a record” and in each packet there is a list of definitions.

Patti informed the committee that in the months ahead we will hear from experts on different RIM areas, discuss new rules that are being adopted in the area of new court rules on public access and privacy. One big concern is as Judy mentioned when you post legal briefs online that have attachments on them with social security numbers and bank numbers anyone could access this information. So rules have been issued to file documents under seal so that the public cannot access this information. The main conflict is privacy vs. public access or right to know.

*Item Two: Resource Directory*

Patti, do we want a share point site? If you have windows 2000 not easy to use, can view hard to post if on office 3 easy. Maybe a web site would be easier for everyone to use. Mark would not be as interactive but easy to post. Web Site it is!

*Item Three: Standardized Vocabulary/Definitions*

A list of definitions was shown and discussion was held on this list. It was requested that Patti add certification, public record, and content management. Dick stated that we don’t want 50 definitions, only the ones we really need, and how the ones listed could help if they where better defined. Susan requested that if it is not in the dictionary the committee needs to be very careful on what we define. Dick suggested going thru list first seeing what has an issue and what value added it will have in the near future. Chris: and Jim Currie what are problems today and what do we need to do, why look at definition? Laurie L. what do we want to do; how do we want it to work; and what is keeping that from happening. Is there new technology in place? Susan would like to know what we want to have at the end, and why not identify the most important things and look at them first.

**GOALS /OBJECTIVES/POLICY**

Patti: talked about goals, objectives, committee’s recommendations; stating that she should be hearing from everyone on this subject. Mike, need to make more people aware, especially top level management, legislative, as well as the legal community.

**LIST OF GOALS/OBJECTIVES**

Analyze Current RIM Environment Issues

Manage Access

New Business  
(cont)

Definitions

Redefine Statues

Encryptions

E-Mail Management

Recommend Subcommittees Interim Studies

Develop Strategies For Maintaining And Archiving

Preservation

Raising Awareness Education Marketing

Identify Issues

Inventory Records And Data

Retention Rules

Compliance Audit Requirements

Training-New Employee Orientation, Specialized

Authentication-Public Key Infrastructure(Electronic Signature)(Hashing)

Metadata

Version Control

Open Source Formats/Native Formats

Trusted Repositories

Searchability

Questions, concerns on the listed goals, objectives and policies.

- Jim questioned where retention and compliance fit in.
- Patti asks if the committee needs to develop policy
- Jim, three states have policies in place, we need to look at theirs as examples
- Mark suggested a reality check on what really an issue is and what is do able as will as the fact that there is a lot of new technology.
- Dick – Its all about retrievals, where it is, what kind of search engine for electronic retrievals, not just about electronic records but how do keep both paper and electronic.
- Jodie, manager should know what they are doing, but who really has the responsibility of the records in an agency
- Dick, in most agencies the records management goes to the newbie, what needs to happen is a strong search engine to find out where everything is.

## New Business

(cont)

During lunch it was brought up by Jodie that there is a frustration level, maybe the committee should look at five levels, and then under each level list out key items. Jodie and Patti and a couple of volunteers can look at these five aspects before next months meeting.

Dick: what are you looking for: definitions, retentions, compliance, strategies; look at what have other states done? There is a lot of breath to everything we are talking about, so much how we get a handle on it. Maybe we go to the legislature for money for consulting. What is the strategy to addressing these issues, maybe there is a list of consultants that do this.

Jodie: all should be familiar with the strategic plan that was put together for electronic records; it is on SOS web page, please read before the next meeting. The question was brought up by several people "What do other states do"?

It was decided that today the committee would walk away with the top five topics, and next month Patti will report on what other states are doing. Lois: volunteers to take list on top five issues. The five members who are going to look at these issues are, Patti Borsberry, Jodie Foley, Mike Bousliman, Dick Clark, and Chris Tweeten.

### **FIVE TOP ISSUES**

ACCESS

SECURITY

EDUCATION

COMPLIANCE

FUNDING

#### ***Item Four: Laws, Lifecycles, Long-range Initiatives-Patti***

Patti discussed Lifecycle Management, ECM from creation or receipt thru active use, to inactive use, thru disposition, then preservation. During lifecycle creation or receipt there is file management, data management, policy, procedures, standards, guidelines, education, training, funding and trusted repository's. As defined in the DOA-ITSD Data Security Policy (draft) Data (information) is

- Any information created, stored (in temporary or permanent form), filed, produced or reproduced, regardless of the form or media. Data may include but is not limited to personally identifying information, reports, files, folders, memoranda, statements, examinations, transcripts, images, and communications.

Records and Data, declared and classified, official (in the course of business - record values), Transitory (in the course of business or short-term value), or Non Record (no retention required). Patti stated that there is benefits to structuring records classifications by functions, Nara is using the federal big bucket series, can classify by record series. Need to dedicate server space, with RIM inventories and retentions

New Business (cont) schedules in place. Need to have Lifecycle disposition, Lifecycle preservation, Systematic controls, and Matching Lifecycles in place.

Chris need to consider that whatever system you set up is going to need to be reviewed by your legal department, and it needs to be designed so that when a legal battle happens you can find your documents. Also everyone needs to understand that there is a legal check list for each one of them. Idea that it is helpful if there is someone on legal staff to review. Get employees trained at hiring level and when employee's leave make sure that all of their records are dealt with.

Molly each goal needs to be looked at for the following legal, audit, financial, historic.

Jodie share information between systems: mark no rules now on sharing data. Patti might be sharing the data but our use is different for each person.

Tori Hunthausen state that the legislative auditors can only audit to a policy or rule, this committee cannot write a policy that would help them, this committee cannot propose policy or compliance.

Patti while the COOP people are here I will try to bring them to the January meeting, maybe we can change the date for the January 16th meeting. Patti will look to see if date can be moved so that anyone attending the COOP training would not have to miss this meeting.

Other  
Business

*Item One: IT CONFERENCE REPORT-Dick Clark*

Best conference so far, with over 400 people attending and most all of them stayed around until Friday. There were speakers from North Dakota, they did a wonder job. The consistent theme at all conferences was the 800 pound gorilla. A lot of needs where met at the program manager level, sessions were held on dot net, with attendance from inside government and outside, all individuals came to talk about the best practices. Dick commented on the amount of individuals who stated that IT was really growing in MT like it should be. We should be looking for more success next year, might even have to do video in different rooms because of the size of attendance. Patti Borsberry did a session on RIM called Rules and Jewels, it was well attended and she did a great job. IT also had a session on File Net with a demo that was done live by DNRC on the imaging manager.

Dick talked about the new IT center, last session a bill was done for a new data center in Helena and one in Eastern Montana. Know one wanted at center, now everyone wants one. A model has been developed and IT is waiting for information from each of the three sites. No basic guidelines on site facilitation went back to how they set up colleges all was done political. Going to do public hearings around January 15th, looking here in Helena a couple of MDT sites. Looking at roads and sewers. Bottom line is a much larger building with a small amount of raised floor used for critical applications (sbhrs) . Here will be primary of all data and servers that we now have in the Michael I building. Talking with agencies on how they want to use it. This year most of the talking was on security with concerns on all the different areas that need to be covered now.

Patti commented that a gentleman spoke on HIPAA and that his session was very

Other  
Business  
(cont)

crowded; people where standing outside the door trying to hear what was being said.

*Item Two: Legal Education Seminar - Chris Tweeten*

Every year there is an education seminar for lawyers in MT, this year 150 to 200 lawyers attended. The content for this year was electronic records. Discussing new laws about discovery of these records, and what rules in MT that has changed. It can be a very lengthy and expensive discovery in a law suit. Anything can be asked for that is relevant to a claim. The Courts used to go on fishing expeditions for any information and the cost can be very expensive. Dale Smiley heard of the Sedona conference, called them and had several speakers from that group talk. Two speakers consulted with them and then everyone came up with an agenda. They shared incites and knowledge with other, by having a four hour round table outside of the seminar. This was very valuable. Judy Meadows gave a talk on privacy rules, while Patti served on a panel. There was a lot of talk about what lawyers need to know about RIM. There where 150 registered to take this class, mostly lawyers.

Chris offered the slides in power point, can make them available. Also have a CD that was given out as well. Patti will have posted to web page.

*Item Three: FEMA/ COOP Manager's Training Course-Dawn Pizzini*

Dawn introduced herself and explained she has the responsibility of heading up COOP (Continuity of Operations) for the State of Montana. In the last few months COOP activity has been moved into ITSD for management. DOA ITSD is in charge of the service continuity board. Three people are on this committee. She is working with several state agencies. The Federal government has new requirements that are attached to this that require funding. Standards in COOP are NIMS, ICS, Federal COOP guidelines, etc. Expertise and continuity planning are very broad and complicated.....ongoing forever with this kind of activity. LDRPS software is being used to gather information about business processes that are now very critical. Need to know what to recover, ASAP, what it takes to restore, space, people, and systems with all information going into this product along with processes, then plans are generated. There will be multiple plans in place. This can link to other systems in the state, to have as little rekeying as possible. Working with SABHRS. When an agency works on a plan it will be updated automatically. There will be multiple data bases. LDRPS is complicated; not an easy step to make, however it has a navigator which gives a view of what is in the system and it will lock down security so that one can only see what is relevant. Once plans are in place have annual reviews and test. This will take one person, in the agency, to make sure everything is in place.

Training is happening: both for the staff in continuity bureau and more training for COOP in the agencies. Staff taking 10 days training with a certificate at the end. Training starts at the end of January for IT and they will get IS training on an on-going basis. Coordinating with FEMA for three days of training; Jan. 15-17th, working on NIMS, with minimal training for state employees on that. Have to meet a certain level in order to be eligible for grants. DES is the state's department of emergency services. Using the federal requirements for the first time, there will be three steps; 1) Seminar; 2) April "desk top" exercise; 3) Training in Philadelphia; at our hot site, exercising it to make sure that it works.



Other  
Business  
(cont)

We will be working with agency's COOP planners and also with LDRS data entry from agencies. Was a belief that the state would have a COOP plan for each agency, with mini plans within an agency. We have been working with North Dakota; they are several years ahead of Montana. They have 1500 plans and over 400 people doing this and over 100 managers who review. 14 states are using LDRS, and 26 states that are using some version in some departments. We have been in contact with those states for information. COOP training in January: creates the association between vital records and COOP has become more important. Two sections presenters from NARA and FEMA. FEMA has responsibility and have a budget. Region 8-six states fighting for budget. This course is three day and Dawn recommends that agencies take advantage of this opportunity, at a higher level, in Montana. When we talk about what the state needs to do to meet these requirements; it is for big federal grants in the millions of dollars.

Meeting  
Recap

- ❖ Patti- Go thru list of eRIM policy infrastructure requirements and definitions will go thru everything she can find to have definitions by next meeting.
- ❖ Jodie- will pass around a list of definitions SAA(Society of American Archivist).
- ❖ Cheri- OPI put a glossary together---Call for this list
- ❖ Five members to look at top five issues and report in February
- ❖ Dick Clark to work with Patti on writing a strategic objective and bring to February's meeting
- ❖ Patti, Mike and Dick to provide initiatives for February's meeting
- ❖ Mark will get a Website up ASAP. Submit content, pull down documents, quick and easy have a comment on web site (Darlene) to do without email? Laurie email within web page? Group: keep it simple

Adjournment

Meeting adjourned at 3:30 p.m., the next meeting will be on January 16, 2008, 9a.m. to 4 p.m. in room 152 in the State Capital.

Respectfully Submitted  
Connie Rigney  
SOS-RIM